

This is a transcription of an episode of The Veto Cast, a podcast of 6 episodes that explores the effects of the veto power of the UN Security Council. The Veto Cast is part of the Stop Illegitimate Vetoes campaign.



Episode 2: The Hidden Veto - released July 21st 2015

Narrator, Laila Mendy: Welcome to The Veto Cast, a podcast of six episodes that explores the effects of the veto power of the United Nations Security Council. The Veto Cast is part of the Stop Illegitimate Vetoes campaign that is committed to changing the way the Security Council veto is used.

The veto is a fundamental function of the Security Council. A veto will stop a resolution from being passed. Reasons for a veto can range from total disagreement on an issue, to language concerns in a resolution. But there is something else to consider when discussing the work of the Security Council, and that is the so called “hidden veto”. The hidden veto is an implied use of the veto. This can be an expressed threat from a P5 country to cast a veto on a resolution. Or, a more common form can be an implication to cast a veto during a closed session of the Security Council. In other words, the expected use of a veto may act as a hidden veto. Another example could be when a topic is controversial to a P5 country, or if it is an issue that has been vetoed on in the past. It will shape the expectations and implications of how that topic will be handled by the P5 countries. Debate is muted during hidden veto situations, stifling necessary UN action and interventions. Effectively, the outcome is the same as if the explicit veto had actually been cast.

Ryan D’Souza is the advocacy officer for the Global Centre for the Responsibility to Protect.

Ryan D’Souza: It is kind of tragic, but in the most complex or pressing issues, such as Syria, Iraq, or South Sudan, where a lot of the council members have some vested interest. The permanent members have often circulated texts, essentially amongst themselves, and once they have a collective agreement, they all then basically force the other elected members to agree on the text. So it is during these

private conversations that the P5 members can reject even an initial discussion around a text and threaten to use their veto. This will then block any further action, and usually end the process from going any further. That is essentially why the Council never talks about situations like Tibet or Chechnya.

Narrator: Hans Corell, Swedish lawyer and diplomat, former Undersecretary General for Legal Affairs, and the Legal Counsel of the United Nations.

Hans Corell: The most troublesome situation I experienced during my tenure in the UN between 1994 and 2004 was the situation in Kosovo, where there was a draft resolution, and there were indications that that resolution would not be adopted because China and Russia would vote against it. In my view, that draft should have been put on the table and they should have taken a vote, because then it is on record for history that those two states, they refused to endorse the use of force in a situation where people were fleeing across the borders and where people were really threatened. So that is why there was an intervention by NATO in the region. I spoke about that in an address that I gave in Canada in October 1999, the same year, and I said that the Council should be careful not to expose itself to criticism when the whole world sees that actually something should be done, and it is vetoed. Then the Council risks losing authority, and that is very dangerous, because if the Council loses authority, the United Nations as an organisation loses authority.

Narrator: The use of the veto has changed since the end of the Cold War. During the Cold War, an average of more than four vetoes per year was cast, totalling 199 altogether. From 1990 to 2014, there have been 29 vetoes, averaging just over one per year. So while it may seem, that the use of the veto has diminished, this would lead us to false conclusions. We need to take into consideration the hidden veto. The hidden veto is most commonly used during closed sessions, where record keeping isn't divulged. So it is impossible to know for certain how often the hidden veto has been used.

But we do know a few. One of the most well-known failures to act by the Security Council, and one of the darkest parts of the UN history, is the Rwandan genocide.
Ryan de Souza.

Ryan: In Rwanda, we saw how the failure of the Security Council to act contributed to the genocide there, and the U.S. and France have some responsibility in this respect, as they were the ones that threatened to use their vetoes to block any resolution that even mentioned the word “genocide”.

Narrator: On the 7th of April 1994, one of the largest mass-slaughters in human history began. It lasted for approximately 100 days, and it is still uncertain how many people were killed. One common official figure estimates 800 000 people. Many more, on top of this number, were mutilated, raped, and severely injured. The situation leading up to the genocide has to do with Rwanda’s colonial past. Rwanda was assigned to Germany during the 1884 Berlin Conference, when the European imperial powers divided Africa between themselves. After World War One, Germany lost control of the colony, and it was transferred to Belgian power.

Both Germany and Belgium strengthened already existing power structures, and delegated power to the elite. They also divided people into different ethnic groups. The notion of different groups existed before, but these divisions were reinforced during colonial rule. The colonial powers favoured the Tutsis, whom they saw as elite over Hutu and Twa. A revolution, led by the Hutus, took place in 1948 against the Tutsi elite. Many Tutsi were killed. With the Hutu population now in control, the racial divides became absolutely rigid. Riots would break out regularly over the following decades, and usually ended up with Tutsi deaths. The racial divide became engrained in society. Even Tutsi children, penalised in schools, were regarded as dull and slow-witted. A civil war broke out in 1992 between the Hutu government and a rebel group called the Rwandan Patriotic Front, the RPF. The RPF consisted mainly of Tutsi refugees, who had escaped prosecution by fleeing to Uganda. The RPF’s goal was to take control of Rwanda, and stop the persecution of the Tutsi.

A peace treaty was negotiated between the two parties in 1993. Under the watch of the United States, France, and the Organisation of African Unity, it took place in the town of Arusha. This peace treaty therefor became known as the Arusha Accords. The Arusha Accords divided the power between the RPF and the Rwandan

government, which meant stripping power from the president Juvénal Habyarimana. This outcome was disliked by Habyarimana and Hutu nationalists.

To make sure the Arusha Accords were implemented successfully, the Security Council commissioned resolution 872. This established a peacekeeping force called the United Nations Assistance Mission for Rwanda, or UNAMIR. When deciding under which rights the UNAMIR should act, the Security Council based them on chapter six of the UN Charter. This meant that UNAMIR would act as an observing party only, and would not take direct military action unless they themselves were attacked. UNAMIR's rules of engagement were therefore severely restricted, and this would later prove to have dire consequences. The final deployment force consisted of about 2500 soldiers, a large proportion of which came from Belgium. It is against UN protocol, however, to send troops from countries that have a colonial relationship history.

French news segment : Les paras du premier bataillon du DST sont officiellement reçu dans la capital rwandaise par le général Dallaire, le commandant en chef du mission l'ONU Rwanda. Ils seront 450 belge servant sous la bannière onusienne pour une mission maintiens la paix (the sound fades out).

Narrator: There was a section within the Rwandan government that consisted of Hutu hardliners, who promoted ousting or killing Tutsi people. These hardliners started planning a genocide long before one occurred. Journalists and historians disagree on when this planning actually started, but we do know that Rwanda imported large quantities of arms and machetes. These were distributed to Hutu civilians. The stated reason was a civil defence initiative against the RPF threat. These weapons, however, were later used to carry out the massacres.

The final trigger for the genocide was the death of Juvénal Habyarimana. A plane carrying Habyarimana was shot down in Kigali Airport on the 6th of April. On the following day, the killings began. Government forces, including police and military, targeted key Tutsi leaders and moderate or sympathetic Hutu leaders.

Old recording: The tragedy unfolding in the central African nation of Rwanda keeps getting worse. UN Secretary General Boutros-Ghali said today there is strong evidence that both sides in a vicious civil war are preparing new massacres of civilians. He called for the use of force, and large numbers of UN troops to stop the slaughter. Terrified Rwandans are fleeing in every direction: to Zaire in the West, Uganda in the North, and Tanzania in the East.

Narrator: The government forces set up checkpoints throughout Kigali. Using the colonial passport system, they killed people they discovered to be Tutsi. These armed forces also started to recruit and pressure Hutu civilians to kill, maim, and rape Tutsi people. This led to a mass-killing of Tutsis and moderate Hutus at the hands of the Hutu population.

One of the first targeted killings by Hutu forces was Prime Minister Uwilingiyimana. Uwilingiyimana had a personal guard of ten Belgian UNAMIR soldiers, as well as a presidential guard of government troops. On the 7th of April, the presidential guards surrounded the ten Belgian UNAMIR soldiers and demanded that they surrender their weapons. After two hours of crossfire, the UNAMIR soldiers surrendered. They were held captive, tortured, and then executed. Uwilingiyimana fled with her family to a nearby UN volunteer compound, but were later followed by the government troops. She and her husband were executed once they surrendered.

Old recording: It is a scene that typifies the Western response to the Rwandan crisis, at least in its early stages. Few people, with few resources, overwhelmed by millions.

Old recording: UN officials say they have never seen anything like it. In just the last 24 hours, more than a quarter of a million people have fled Rwanda and its terror. Lines at some border crossings stretch for five miles. With the people have come more horrible stories about what is happening in the homeland they are fleeing. Official estimates of the dead in Rwanda in just the last three weeks range from 100 000 to half a million. Most casualties are being inflicted by government troops and their allied militias, as they systematically slaughter civilians in an apparent attempt to exterminate Rwanda's 700 000 minority population from the Tutsi tribe.

Narrator: Belgium withdrew the Belgian troops from UNAMIR in response to the death of their soldiers. Belgium began to argue for total UNAMIR withdrawal, since the two parties of the conflict were no longer following terms of the Arusha Accords. The United States and the United Kingdom were also hesitant about further deployment, and pressured for a complete withdrawal within the Security Council. An official withdrawal of UNAMIR didn't occur, but the majority of the troops were withdrawn.

The force commander of UNAMIR was the Canadian major general Romeo Dallaire, who now stood alone with a small contingent of soldiers. Making the best of the situation, the troops were deployed where the Tutsis were known to be hiding. They defended the areas by relying on their UN credentials. These actions may have saved as many as 32 000 people. Dallaire requested reinforcements multiple times, and he stated that a deployment consisting of the original number of 2500 soldiers would end the massacres. This was denied.

One of the most shocking parts of the UN involvement in Rwanda has to do with French relations to the Hutu government. France is a permanent member of the Security Council, and it has a long standing communication with the Hutu government as part of Francophone politics, a colonial inheritance of French influence in African countries. During the first days of the genocide, France sent 190 paratroopers to secure Kigali Airport, in order to ensure that French citizens could be evacuated. They worked together with Belgian troops in UNAMIR. Their purpose was for French citizens and their safety. This meant that in certain cases, Tutsi spouses and Tutsi parents were left behind. Tutsi refugees that tried to escape in French and Belgian evacuation trucks were also forced off at waypoints. This meant execution.

The RPF restarted an offensive when the killings began, since the terms of the Arusha Accords had been broken. They took control of Kigali on the 4th of July. 100 days of race-driven slaughter, rape, and mutilation ended when the RPF had control over the majority of Rwanda on the 18th of July.

Frank Habineza: Doctor Frank Habineza, I am the President of the Democratic Green Party of Rwanda, and also the President of the African Greens Federation. The UN, if

they took clear responsibility and if they intervened properly and if they not pulled out their troops, of course the genocide would not have happened. It would have prevented, and very few people would have been killed, many people would have been saved. Well, we see that the key players in the UN at the time were the United States of America, President Bill Clinton came to Rwanda and apologised for what happened, and the Prime Minister of Belgium also came and apologised, and so, that was one of the responsibilities. Of course, the UN is doing some other parts, like supporting the UNDP national development program, they are supporting different programs in Rwanda organised by the World Bank and others, they support Rwanda. But still, we see that the UN is still not getting as serious as they are supposed to be. Because right now we still have problems with Congo, where the former soldiers, most people who are responsible for the genocide, are. The UN has been taking a lot of commitments, they are making declarations, they are making resolutions, but they do not respect them. And even when they talk about violence which has been in Congo, they make reports, they make resolutions, but nothing still, it stops there. Even recently they said they want to solve this problem with Congo, but nothing still happens, so you find that they did make the mapping report of what they said the atrocities that happened in Congo, still they do not follow up on whatever they do. So basically you find that the UN, they need to improve, they need to do better than what they are doing because we are tired of having resolutions, of having declarations, but when we really need them, we do not see them. We do not say that we can hold them accountable, because the Rwandans are accountable for what happened. It was the Rwandans, they killed each other, so they are accountable to the genocide, the Rwandan people. They did not intervene, did not stop, yes it is also accountable in the way that they should have stopped, because there was a lot of warnings that the general that was in charge of the UN peacekeeping mission in Rwanda, UNAMIR, general Dallaire from Canada, he sent a lot of warnings to the UN that there is going to be a massacre. Well we also see that even the United States of America, the people of the African department, they all knew what was happening. They got reports from the embassy in Kigali, but the people did not do enough, did not act, did not inform properly the president. Actually, they were more pushing to pull out all the soldiers on the ground. So, yes, they are also responsible in that way, but criminally Rwandans are responsible for what they did. The Rwandan people say that the UN betrayed them. People believe that the UN should have been a place of

escape, a place of refuge, but instead the UN did not do that job, so we think that the UN betrayed us.

People in Rwanda do not have trust in the UN, because the UN abandoned Rwanda at a time of need, especially in the genocide. Even now it would have been better, still we see that the resolutions they take in the Security Council, they are not being respected, they are not being implemented. We do not see much happening, so we only hear resolutions, resolutions, but we do not see actually some of the UN missions even the court, the International Criminal Tribunal for Rwanda, which is based in Arusha, Tanzania, it has taken now almost 15 years I think trying those cases since I think -95, but how many cases have they tried? Very few. I think they are not more than 30. And how much money have they used? Billions of dollars. So you find that there is a lot of resources, and the result is very small according to the resources, and that court would have done a lot because most of the wanted people on the international list of those wanted for committing genocide, they are still out there. And the court is now finishing, actually it has been closed down now, it has done their last cases, the ICTR in Arusha. They have done their last cases, but they have not done all the job. They have done not even half of the job. So, basically, that court would have helped in the reconciliation process, also bring out the truth of what happened. So, basically, we are not here happy with what the UN is doing or have done. We hope they can do better, we hope they can improve, and give hope to people.

Narrator: The Rwandan genocide stands as a stark reminder of the dire consequences when the Security Council fails to act. Internal pressures within the UN, leading to a hidden veto, rendered this shameful part of human history possible. These are some of the darkest days in the UN's history. It should be remembered as guidance for what cannot be repeated in the future work of the Security Council. To function, the Security Council must be based on the UN Charter, and not guided by special interests or diplomacy. The UN must be more accountable of the hidden veto.

You have listened to The Veto Cast, a podcast of six episodes that explores the effects of the veto power of the United Nations Security Council. The Veto Cast is part of the Stop Illegitimate Vetoes campaign, which is committed to changing the

way the Security Council's veto is used. The Veto Cast is a co-production by the Stop Illegitimate Vetoes organisation, and Uppsala Student Radio 98.9. Project manager for The Veto Cast was Joanna Hellström. Production and audio editing by Simon Sander. Scripts by Alexander Fredman. Interviews by Joanna Hellström and Filip Ahlborn. This production was narrated by Laila Mendy. Our thanks to Daniel Kjellén and Hanna Wernerson, and the rest of the team behind the Stop Illegitimate Vetoes campaign.

Hanna Wernerson: It is our world, and the global challenges are of everyone's concern. For peace and prosperity, we need an efficient UN.

Daniel Kjellén: For more information, visit our webpage at www.stopillegitimatevetoes.org, and our Facebook page.

Hanna Wernerson: Let's stop illegitimate vetoes.